

REMARKS

Claims 1, 3, 7 and 13-16 are pending in this application. By this Amendment, the specification and claims 1 and 13 are amended. Support for the amendment to the specification can be found in the originally filed specification at page 5, lines 12 to 17. Support for the amendments to claims 1 and 13 can be found, for example, in the originally filed specification at page 3, lines 21 to 25 and in original claims 1 and 13. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Claim Objection

The Office Action objects to claims 1-3, 7 and 13-16 as including the abbreviation RFID, for which there is no antecedent basis in the specification. By this Amendment, Applicant has amended the specification to obviate the objection in accordance with the Examiner's helpful suggestion. Accordingly, withdrawal of the objection is respectfully requested.

Rejections Under 35 U.S.C. §103**A. Catan and Synergy**

The Office Action rejects claims 1-3, 7 and 13-16 under 35 U.S.C. §103(a) over U.S. Patent No. 6,676,014 to Catan ("Catan") in view of "Synergy: A Source Tagging Council Publication" ("Synergy"). Applicant respectfully traverses the rejection.

Catan is not available as prior art against the instant claims. Catan was published (patented) on January 13, 2004 based on a U.S. patent application filed March 31, 2001. The instant application was filed on July 11, 2001 and claims priority under 35 U.S.C. §119 to Japanese Patent Application No. 2000/210848, which was filed on July 12, 2000. A translation of Japanese Patent Application No. 2000/210848 is attached hereto. As instant claims 1-3, 7 and 13-16 are fully supported by the disclosure of Japanese Patent Application

No. 2000/210848, the present application is entitled to the July 12, 2000 filing date of the priority application.

Catan was not published (patented) before July 12, 2000, and thus is not available as prior art against the instant application under 35 U.S.C. §102(a) or §102(b). The U.S. patent application that matured into Catan was not filed before July 12, 2000, and thus is not available as prior art against the instant application under 35 U.S.C. §102(e). Accordingly, Catan is not prior art to the instant claims.

Catan cannot form the basis of a rejection of the instant claims. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Kaye and Synergy

The Office Action rejects claims 1-3, 7 and 13-16 under 35 U.S.C. §103(a) over Kaye, J., "Counter Intelligence White Paper" ("Kaye") in view of Synergy. Applicant respectfully traverses the rejection.

Claims 1 and 13 recite, *inter alia*, "[a] food information management system, comprising: a food processing plant for producing and shipping food in food packages, each of the food packages comprising an RFID tag storing at least food identification information relating to the food in the food package; a food information center comprising a food database, the food database comprising food information including cooking information classified by the food identification information; read means ... output means ... wherein: when the read means sends the food identification information to the food information center, the food information center retrieves the food information associated with the food identification information, and sends the food information to the output means ..." (emphasis added). Kaye and Synergy do not teach or suggest such systems.

The Office Action asserts that Kaye discloses a food information management system including food packages having RFIDs including food identification information, read means

for reading the food identification information and sending the food identification information to a food information center, and display means for displaying food information. The Office Action concedes that Kaye does not disclose a food processing plant, but asserts that such disclosure can be found in Synergy. Notwithstanding these assertions, claims 1 and 13 would not have been rendered obvious by Kaye and Synergy.

Claims 1 and 13 require a food information center comprising a food database, the food database comprising food information including cooking information classified by the food identification information. When read means send food identification information to the food information center remotely over a network, the food information center retrieves the food information associated with the food identification information, and sends the food information to output means. Kaye refers abstractly to linking information to a barcode or RFID. *See, e.g.*, pages 15 to 16. However, nowhere does Kaye provide enabling disclosure of a food information center having a database including food information (including cooking information) classified by food identification information associated with a food package. Also, Kaye provides no disclosure regarding retrieval of such food information from the food information center remotely over a network.

In the applications disclosed in Kaye, it does not appear that food information associated with a food package is retrieved from a food information center at all. For example, Mr. Java does not involve food packaging, food identification information and food information -- rather, Mr. Java involves containers (coffee cups) indicating user preferences. *See* Kaye, page 3. There is no indication in Kaye that Mr. Java interfaces remotely with a food information center, or even some analogous database storing user preferences. Cool I/O is a refrigerator that tracks the presence or absence of items in the refrigerator. *See* Kaye, pages 9 to 10. As with Mr. Java, there is no disclosure in Kaye that Cool I/O interfaces

remotely with a food information center storing food information including cooking information.

Claims 1 and 13 require a food processing plant for producing and shipping food in food packages, each of the food packages including an RFID tag storing at least food identification information relating to the food in the food package. As conceded in the Office Action, Kaye fails to teach or suggest such a food processing plant. Synergy fails to remedy the deficiencies of Kaye. While the Office Action correctly points out that Synergy discloses incorporation of theft prevention acousto-magnetic labels in food packages (*see* page 1), and refers generally to incorporating devices such as RFIDs into product supply chains (*see* page 1), there is no disclosure in Synergy of a food processing plant for producing and shipping food in food packages, each of the food packages including an RFID tag storing at least food identification information relating to the food in the food package. Moreover, there is no suggestion in Synergy that a food processing plant in which RFIDs are incorporated into food packaging should be incorporated into a system by which the RFIDs are used to retrieve cooking information relating to the food in the food packaging for output to output means in a cooking device (claim 1) or refrigerator (claim 13). The only suggestion of employing a food processing plant in such a system is found in the instant specification.

Claims 1 and 13 are directed to systems in which information associated with a food product is linked to food packaging at the beginning of the supply chain (e.g., during manufacture) in a manner that simplifies the use of that information at the end of the supply chain (e.g., by the consumer). While Synergy may disclose systems in which products are tagged at the beginning of the supply chain, and Kaye may disclose systems that improve a consumer's experience at the end of the supply chain, neither reference suggests an integrated system, in which food products are packaged, information is arranged, and appliances are

configured to facilitate a consumer's access to and use of information associated with the food product.

As Kaye and Synergy fail to teach or suggest a food information management system including a food processing plant for producing and shipping food in food packages, each of the food packages comprising an RFID tag storing at least food identification information relating to the food in the food package, a food information center including a food database, the food database comprising food information including cooking information classified by the food identification information, wherein when read means sends the food identification information to the food information center remotely over a network, the food information center retrieves the food information associated with the food identification information, and sends the food information to output means, the combination of references fails to teach or suggest each and every feature of claims 1 and 13.

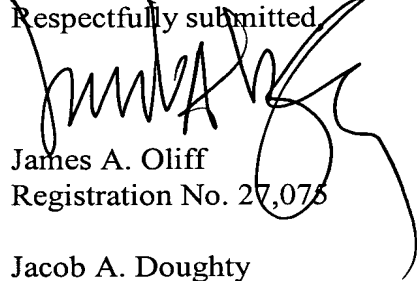
Claims 1 and 13 would not have been rendered obvious by Kaye in view of Synergy. Claims 2, 3, 7 and 14-16 depend variously from claims 1 and 13 and, thus, also would not have been rendered obvious by Kaye in view of Synergy. Accordingly, reconsideration and withdrawal are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 7 and 13-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/hs

Attachment:

English-Language Translation of Japanese Patent Application No. 2000/210848

Date: March 22, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
